

ORDINANCE NO. 930225- I

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS: 1.296 ACRE TRACT OF LAND OUT OF THE F. M. HODGES SURVEY NO. 22, FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "CS-CO" GENERAL COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 8701-8705 SOUTH CONGRESS AVENUE [ODD NUMBERS ONLY], IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5 AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the base zoning district from "DR" Development Reserve district to "CS-CO" General Commercial Services district-Conditional Overlay combining district, on the property described in File C14-92-0130, as follows:

1.296 acre tract of land out of the F. M. Hodges Survey No. 22, said 1.296 acre tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes,

locally known as 8701-8705 South Congress Avenue [Odd Numbers Only], in the City of Austin, Travis County, Texas.

PART 2. That the property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following condition:

Development of the Property, or any portion of the Property, as (i) General retail sales (general), (ii) General retail sales (convenience), shall not exceed a maximum of 29,800 square feet of gross floor area.

Except as specifically restricted pursuant to this ordinance, the property may be developed and used in accordance with the regulations established for the "CS" General Commercial Services base district and other applicable requirements of the Land Development Code.

PART 3. That it is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

PART 4. That the requirements imposed by Sections 2-2-3, 2-2-5 and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five (5) members of the City Council.

PART 5. That this ordinance shall become effective upon the expiration of ten (10) days following the date of its final passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

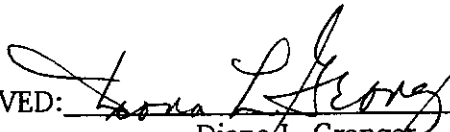
§
§
§
§

February 25, 1993



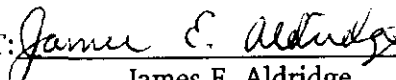
Bruce Todd
Mayor

APPROVED:



Diana L. Granger
City Attorney

ATTEST:



James E. Aldridge
City Clerk

25Feb93
ME/jj

1.296 Acres
Zoning Parcel

F.M. Hodges Survey No. 22
July 17, 1992
92562.10/gw/Page 1

STATE OF TEXAS)

COUNTY OF TRAVIS)

DESCRIPTION, based on record information, of a 1.296 acre tract out of the F.M. Hodges Survey No. 22, Travis County, Texas, being a portion of that certain 9.52 acre tract, conveyed to Georgia B. Lucas, by instruments of record in Volume 784, Page 584, Volume 1062, Page 109, Volume 1466, Page 308 and Volume 1547, Page 13, all of the Travis County Deed Records; the said 1.296 acre tract being more particularly described as follows:

BEGINNING at a point in the southerly line of the said 9.52 acre tract, being a point in the northerly line of that 2 acre tract conveyed to Alain P. Reveillac, Trustee by deed recorded in Volume 11529, Page 24 of the said deed records and a point in the southeasterly right-of-way line of Loop 275 being 1.6571 acres, described as parcel 64, and conveyed to the State of Texas by deed recorded in Volume 11402, Page 899 of the said deed records;

THENCE, leaving the said northerly line of the said 2 acre tract, across the said 9.52 acre tract, along the southeasterly right-of-way line of Loop 275 (120.00' right-of-way) for the following two (2) courses:

- 1) N 45° 32' 01" E, 490.91 feet to the point of curvature of a curve to the left, being 60.00 feet left of State Highway centerline station 409+72.00;
- 2) with the said curve to the left having a central angle of 00° 50' 49", a radius of 860.00 feet, a chord distance of 12.71 feet (chord bears N 45° 06' 37" E) for an arc distance of 12.71 feet to a point in the easterly line of the aforesaid 9.52 acre tract, being a point in the westerly right-of-way line of State Highway 81 (120.00' right-of-way);

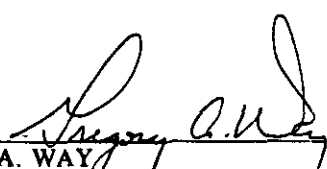
THENCE, S 14° 03' 21" W, leaving the southeasterly right-of-way line of Loop 275, along the easterly line of the 9.52 acre tract, 429.49 feet to a point for the southeast corner of the aforesaid 9.52 acre tract, being the northeast corner of the said 2 acre tract;

THENCE, N 75° 57' 35" W, along the common line between the 9.52 acre tract and the 2 acre tract, for a distance of 262.90 feet to the PLACE OF BEGINNING, CONTAINING 1.296 acres of land area.

That I, Gregory A. Way a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined from record information and does not represent an actual on the ground survey.

WITNESS MY HAND AND SEAL, at Austin, Travis County, Texas this the 17 day of July, 1992, A.D.




GREGORY A. WAY
Registered Professional Land Surveyor
State of Texas - No. 4567

"EXHIBIT A"

ORDINANCE NO. 930225-1
AN ORDINANCE ORIGINATING A REGIONAL
MAP OF THE CITY OF AUSTIN, TEXAS
MAP ACCOUNTING CHAPTER 13
2 OF THE AUSTIN CITY CODE OF 1992
AS FOLLOWS: 1.266 ACRE TRACT OF
LAND OUT OF THE F.M. HODGES
SURVEY NO. 22, FROM "DR" DEVELOP-
MENT RESERVE DISTRICT TO "CS-
CO" GENERAL COMMERCIAL
SERVICES DISTRICT-CONDITIONAL
OVERLAY COMBINING DISTRICT, LO-
CALLY KNOWN AS 8701-8705 SOUTH
CONGRESS AVENUE (CROSS NUMBERS
ONLY) IN THE CITY OF AUSTIN,
TEXAS. THE TRACT BEING
LOCATED IN THE EAST END OF THE ALLEN
TRAIL AND 2ND THROUGH
3RD AVENUE.
CITY OF AUSTIN, TEXAS
CITY CLERK

PO#: 930 225-I 23

Ad ID#: _____

Acct#: 499.2490

Austin American-Statesman

Acct. Name: City Clerk's Office

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

Vanessa Fleming

Classified Advertising Agent of the *Austin American-Statesman*, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

Date(s): March 11th, 1993

Class: 9900

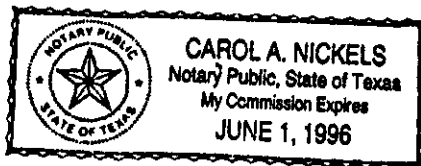
Lines: 21

Cost: \$ 24.36

and that the attached is a true copy of said advertisement.

Vanessa D. Fleming

SWORN AND SUBSCRIBED TO BEFORE ME, this the 22nd day of Mar, 1993.



Carol A. Nickels

Notary Public in and for
TRAVIS COUNTY, TEXAS

Carol A. Nickels
(Type or Print Name of Notary)

My Commission Expires: 6/1/96

ORDINANCE NO. 930225-
AN ORDINANCE ORDERING A REZON-
ING AND CHANGING THE ZONING
MAP ACCOMPANYING CHAPTER 13-
2 OF THE AUSTIN CITY CODE OF 1992
AS FOLLOWS: 1.296 ACRE TRACT OF
LAND OUT OF THE F.M. HODGES
SURVEY NO. 22 FROM "DR" DEVEL-
OPMENT RESERVE DISTRICT TO "CS-
CO" GENERAL COMMERCIAL
SERVICES DISTRICT-CONDITIONAL
OVERLAY COMBINING DISTRICT, LO-
CALLY KNOWN AS 8701-8705 SOUTH
CONGRESS AVENUE (CDC NUMBERS
ONLY) IN THE CITY OF AUSTIN,
TRAVIS COUNTY TEXAS; WAIVING
THE REQUIREMENTS OF SECTION 2-2-
3, 2-2-5, AND 2-2-7 OF THE AUSTIN
CITY CODE OF 1992; AND PROVID-
ING AN EFFECTIVE DATE
Mayor Bruce Todd, Austin, Texas